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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/520,306 03/07/00 KEPLER M 1631077-0025

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PATENT DEPARTMENT
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2787

EXAMINER

AGDEPPA, H

ART UNIT

PAPER NUMBER

2642

DATE MAILED:

07/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/520,306

Applicant(s)

KEPLER ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 1 - 5, 7 - 11, 19, 20, 22 - 25, 27 - 32, 35, 37, and 38 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by DeLorme et al.

Regarding claims 1 - 3, 7 - 11, 19, 20, 22 - 25, 27 - 32, and 35, DeLorme et al. teaches a travel reservation information and planning system and method, wherein an agency or business can provide agents for receiving client requests for concierge-like services and transfers those requests to third-party providers, which includes other agents to fulfill or finalize the client requests, which may be at a locale near the requested service, or may retain full control and fulfill the requests themselves without transferring to the third-party providers. DeLorme et al. also teaches having and accessing databases, or a partitioned database, or linkage to third-party databases throughout the requesting/fulfillment process for electronic tickets or variations thereof. Further taught by DeLorme et al., in accordance with the various, aforementioned databases, is a network, for example, the internet, over which the electronic ticket may be transferred between agents and databases. A directory database is taught for presenting services and options to a client, and electronic ticket where imprinted thereon, sometimes automatically if desired, is the locale of the requested service as

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well as various client information and the requested service itself or actual service name. Also taught is requesting for services in a certain region with databases retained locally to a certain region as well as requesting and fulfillment via wireless and/or two-way devices, the internet, i.e., email, the telephone, etc. (Figs. 1A – 5D and 9, Col. 13, line 31 – Col. 14, line 52, Col. 15, line 14 – Col. 16, line 18, Col. 18, lines 25 – 39, Col. 19, lines 35 – 40, Col. 31, lines 15 – 67, Col. 33, line 53 – Col. 34, line 45, Col. 37, lines 3 – 24, Col. 50, lines 30 – 63, and Col. 71, line 60 – Col. 77, line 59)

Regarding claims 4, 5, 16, 37, and 38, DeLorme et al. has been discussed above. It is further inherent that a fulfillment agent would need to have access to one of the aforementioned databases as well as the agents of the agency or business providing the travel information and planning system, in order to coordinate ticketing between the two types of agents. Also inherent is a pool of agents at the agency and third-party service provider. Further inherent are fields on the electronic ticket linked to databases concerning contact information and services information as this would be necessary for the aforementioned automatic entry of that information on the electronic ticket.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 6, 12 – 15, 17, 18, 21, 26, 33, 34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme et al.

DeLorme et al. has been discussed above.

Regarding claims 6, 13 – 15, 21, and 33, it would be obvious to one skilled in the art to separate pools of agents as it is well known in various telephony arts, as is prioritizing requests and fulfillment as in call centers, ACDs, service agent systems, etc.

Regarding claims 12 and 34, and alarm that alerts agents is also well known in the aforementioned arts and also may be as simple as a phone ringing, indicating an incoming service call which is inherent in the invention of DeLorme et al.

Regarding claims 17 and 18, these are simply obvious design choices if not inherent in the invention of DeLorme et al.

Regarding claim 26, implementing transmitting and/or fulfilling requests via fax would be obvious to one skilled in the art in lieu of all the aforementioned modes of operation in the invention of DeLorme et al.

Regarding claim 36, Delorme et al. teaches a system and method encompassing an entire trip, for example, with various stop-overs, reservations along the way, etc. and it would have been obvious to one skilled in the art, in lieu of this fact to imprint the time of the next action on an electronic ticket. It may even be considered to be inherent when considering that DeLorme et al. teaches printing entire map-tickets and itineraries.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat 5,797,126 (Helbling et al.) teaches an automatic theater ticket concierge. US Pat 5,897,620 (Walker et al.) teaches a method and apparatus for the sale of airline-specified flight tickets. US Pat 5,983,200 (Slotznick) teaches an intelligent agent for executing delegated tasks. US Pat 6,094,640 (Goheen) teaches an electronic ticketing and reservation system and method. US 6,205,436 B1 (Rosen) teaches trusted agents for open electronic commerce where the transfer of electronic merchandise or electronic money is provisional until the transaction is finalized.

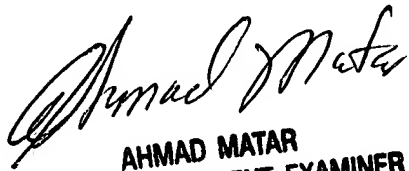
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5858 for regular communications and 703-308-5403 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.
July 2, 2001


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
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